

Carney R. Shegerian, Esq., State Bar No.150461
CShegerian@Shegerianlaw.com
Mahru Madjidi, Esq., State Bar No. 297906
MMadjidi@Shegerianlaw.com
Alex DiBona, Esq. State Bar No.
ADibona@Shegerianlaw.com
SHEGERIAN & ASSOCIATES, INC.
320 North Larchmont Boulevard
Los Angeles, California 9004
Telephone Number: (310) 860-0770
Facsimile Number: (310) 860 0771

Attorneys for Plaintiff,
ALEX VILLANUEVA

**UNITED STATES DISTRICT COURT FOR THE
CENTRAL DISTRICT OF CALIFORNIA, WESTERN DIVISION**

ALEX VILLANUEVA,

Plaintiff,

vs.

COUNTY OF LOS ANGELES,
COUNTY OF LOS ANGELES
SHERIFF'S DEPARTMENT, LOS
ANGELES COUNTY BOARD OF
SUPERVISORS, COUNTY EQUITY
OVERSIGHT PANEL, LOS
ANGELES COUNTY OFFICE OF
INSPECTOR GENERAL,
CONSTANCE KOMOROSKI,
MERCEDES CRUZ, ROBERTA
YANG, LAURA LECRIVAIN,
SERGIO V. ESCOBEDO, RON
KOPPERUD, ROBERT G. LUNA,
MAX-GUSTAF HUNTSMAN,
ESTHER LIM, and DOES 1 to 100,
inclusive,

Defendants.

Case No.: 2:24-cv-04979-SVW-JC

**[Assigned to Honorable Stephen V. Wilson
and Magistrate Judge Jacqueline
Chooljian]**

**PLAINTIFF'S OPPOSITION TO
DEFENDANT'S MOTION *IN LIMINE*
NO. 3 TO EXCLUDE "HEARSAY"**

Date: May 26, 2025
Time: 1:30 p.m.
Dept.: 10A

Trial Date: June 3, 2025
Action Filed: June 13, 2024

MEMORANDUM OF POINTS AND AUTHORITIES

1. INTRODUCTION

Defendants' Motion in *Limine* No. 3 seeking to exclude purported hearsay statements. Defendants incorrectly assert that statements attributed to Mark Lilienfeld and Edwin Alvarez, as well as John Satterfield, constitute hearsay. Plaintiff opposes the motion on the following grounds:

A. Witnesses Mark Lilienfeld and Edwin Alvarez Are on the Witness List and Available for Cross-Examination.

Defendants' argument that statements from Lilienfeld and Alvarez should be excluded as hearsay ignores the fact that both witnesses are identified on the trial witness list and will testify in person. Thus, these statements do not constitute inadmissible hearsay, as the declarants will be present at trial and subject to cross-examination.

B. Statements Offered to Prove Notice or to Explain the Course and Scope of an Investigation Are Not Hearsay.

Defendants incorrectly label statements by John Satterfield and Plaintiff as hearsay. These statements are not hearsay under Federal Rule of Evidence 801(c) because they are offered for non-hearsay purposes.

It is well-established that statements offered to demonstrate notice or knowledge are not hearsay. (See *United States v. Jefferson*, 2025 U.S. Dist. LEXIS 5665, at *7 ("an out-of-court statement introduced to prove that the person to whom the statement was communicated had notice of something is not hearsay.")). Here, Plaintiff offers statements from Alvarez and Satterfield to demonstrate that he had notice of the outcomes and procedural posture of investigations conducted against him.

Further, statements explaining the course and scope of an investigation or the reasons police officers undertook certain actions similarly are not hearsay. *United States ex rel. James v. Roth*, 2001 U.S. Dist. LEXIS 9421, at *6 ("Testimony is not hearsay where it is introduced for the limited purpose of explaining the reason the police conducted their

1 investigation as they did."). Thus, testimony regarding statements made during the
2 investigation is admissible to explain why Plaintiff took certain actions or held certain
3 beliefs.

4 **C. Plaintiff's Statements Regarding Huntsman's Denial of the Holocaust**
5 **Are Admissible to Demonstrate Plaintiff's Basis for His Actions.**

6 Defendants seek to exclude Plaintiff's statements regarding Max Huntsman's alleged
7 denial of the Holocaust. Such exclusion is impermissible. Plaintiff was found guilty of
8 harassment and discrimination for his statement about Huntsman. Plaintiff must be
9 permitted to explain the basis and source of information upon which he relied in making
10 this statement. Excluding this information would impermissibly prejudice Plaintiff's
11 ability to defend himself against claims of misconduct. Plaintiff's statements are critical
12 to establish his good-faith belief and the reasonableness of his actions based on the
13 information available to him at the time.

14 Therefore, Plaintiff respectfully requests that the Court deny Defendants' Motion in
15 *Limine* No. 3.

16
17 Dated: May 5, 2025

SHEGERIAN & ASSOCIATES, INC.

18
19 By: 
20 Alex DiBona, Esq.

21 Attorneys for Plaintiff,
22 ALEX VILLANUEVA
23
24
25
26
27
28

VILLANUEVA V. COUNTY OF LOS ANGELES, et al. USDC Case No. 2:24-cv-04979-SVW-JC

PROOF OF SERVICE

**UNITED STATES DISTRICT COURT,
CENTRAL DISTRICT OF CALIFORNIA**

I am an employee in the County of Los Angeles, State of California. I am over the age of 18 and not a party to the within action; my business address is 11520 San Vicente Boulevard Los Angeles, California 90049.

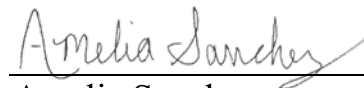
On May 5, 2025, I served the foregoing document, described as “**PLAINTIFF’S OPPOSITION TO DEFENDANT’S MOTION *IN LIMINE* NO. 3 TO EXCLUDE “HEARSAY”**” on all interested parties in this action as follows:

**Louis R. Miller, Esq.
Jason H. Tokoro, Esq.
Steven G. Williamson, Esq.
Miller Barondess, LLP
2121 Avenue of the Stars, Suite 2600
Los Angeles, CA 90067
smiller@millerbarondess.com
jtokoro@millerbarondess.com
swilliamson@millerbarondess.com**

☒ **BY CM/ECF NOTICE OF ELECTRONIC FILING:** I electronically filed the document(s) with the Clerk of the Court by using the CM/ECF system. Participants in the case who are registered CM/ECF users will be served by the CM/ECF system. Participants in the case who are not registered CM/ECF users will be served by mail or by other means permitted by the court rules.

☒ **(FEDERAL)** I declare that I am employed in the office of a member of the bar of this Court at whose direction the service was made.

Executed on May 5, 2025, at Los Angeles, California



Amelia Sanchez